City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 17, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-34161 – EXTENSION OF TIME – SPECIAL USE PERMIT – APPLICANT/OWNER: FACCHINO LABARBERA SAHARA LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. This Special Use Permit (SUP-27506) shall expire on June 4, 2010 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of Special Use Permit (SUP-27506) and all other site related actions as required by the Planning and Development Department and department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for an Extension of Time of a previously approved Special Use Permit (SUP-27506) for a Beer/Wine/Cooler Off-Sale Establishment within an approved 17,307 square-foot Grocery Store located at 4580 West Sahara Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/27/61	The Board of City Commissioners approved a request for Rezoning (Z-0039-61) from R-E (Residence Estates) to C-1 (Limited Commercial) of property generally located between Oakey Boulevard, Arville Street, San Francisco Avenue, and Decatur Boulevard. The Planning Commission recommended approval on 09/14/61.
05/09/73	The Board of City Commissioners approved a request for Rezoning (Z-0009-73) from R-1 (Single Family Residence) to R-3 (Medium Density Residential) of property located at the northeast corner of Sahara Avenue and Decatur Boulevard. The Planning Commission recommended approval on 02/27/73.
08/05/87	The City Council approved a request for Rezoning (Z-0057-87) from R-1 (Single Family Residential), R-3 (Medium Density Residential), and C-1 (Limited Commercial) to C-1 (Limited Commercial) for a proposed Shopping Center and Retail/Service Commercial of property generally located on the north side of Sahara Avenue between Decatur Boulevard and Arville Street. The Planning Commission recommended approval on 07/09/87.
05/12/88	The Planning Commission approved a request for a Plot Plan Review [Z-0057-87 (3)] for a Shopping Center on property located on the northeast corner of Decatur Boulevard and Sahara Avenue.
07/17/96	The City Council approved a request for a Review of Condition [Z-0057-87 (6)] to delete the condition that prohibits access to Arville Street on property located on the west side of Arville Street, north of Sahara Avenue. The Planning Commission recommended approval on 06/27/96.
11/16/06	A Code Enforcement case was processed for illegal signage at 4580 West Sahara Avenue. Code Enforcement closed the case on 01/16/07.
01/24/08	The Planning and Development Department approved a request for an Administrative Site Development Plan Review (SDR-25837) for proposed modifications to an existing Shopping Center on 6.15 acres at 4580 West Sahara Avenue.
06/04/08	The City Council approved a request for a Special Use Permit (SUP-27506) for a proposed Beer/Wine/Cooler Off-Sale Establishment within an approved

	17,307 square-foot Grocery Store located at 4580 West Sahara Avenue. The Planning Commission recommended approval on 05/08/08.

Related Building Permits/Business Licenses	
07/15/08	Two business licenses (G05-92944 and L10-92945) for a Grocery Store and Beer/Wine/Cooler Off-Sale Establishment were filed, but a license has not been issued since the business is not anticipating an opening until 08/06/09.
10/17/08	A business license (C05-02589) was issued for Tobacco Sales at 4580 West Sahara Avenue, Suite 110. The license is still active.
10/17/08	A business license (D11-00227) was issued for a Drug Store at 4580 West Sahara Avenue, Suite 110. The license is still active.
10/17/08	A business license (Q04-00037) was issued for a Pharmacist at 4580 West Sahara Avenue, Suite 110. The license is still active.
06/20/08	A Plans Check application (26601) was submitted for Tenant Improvements at 4580 West Sahara Avenue, Suite 150. A Certificate of Occupancy was issued on 02/12/09.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	6.14

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Vacant Building	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an extension of time of a previously approved Special Use Permit (SUP-27506) for a Beer/Wine/Cooler Off-Sale Establishment within a Grocery Store located at 4580 West Sahara Avenue, Ste 150. Title 19.18.060 deems a Special Use Permit exercised upon the issuance of a business license to conduct the activity, if one is required, or otherwise upon the issuance of a certificate of occupancy or approval of a final inspection. Though a Certificate of Occupancy was issued on 02/12/09, the store is not yet open. The applicant is anticipating the issuance of the appropriate city business licenses for the Grocery Store and Liquor on 07/15/09.

FINDINGS

The Special Use Permit (SUP-27506) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. The applicant is requesting additional time to configure the display cases and complete a study pertaining to the proper mix of products for sale. Staff is recommending approval of this request with a one-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-27506) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0